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October 26, 2023

**VIA ECF**

The Honorable Robert Kirsch, U.S.D.J.  
United States District Court  
Clarkson S. Fisher Federal Building & U.S. Courthouse  
402 E. State Street  
Trenton, New Jersey 08608

Re: *Dr. Reddy's Laboratories Inc. v. Amarin Pharma, Inc., et al.*  
Civil Action No. 21-10309 (RK)(TJB)

Dear Judge Kirsch:

This firm, together with Covington & Burling LLP, represents Defendants Amarin Pharma, Inc., Amarin Pharmaceuticals Ireland Limited, and Amarin Corporation plc (collectively, "Amarin") in the above-captioned matter. This letter responds to the October 25, 2023 letter from Plaintiff Dr. Reddy's Laboratories, Inc. ("DRL"). ECF No. 127.

With respect to the mediation that Judge Linares oversaw, Amarin fully engaged with Judge Linares in the lead-up to the mediation, and Amarin fully engaged with each of the four plaintiff groups during the full-day mediation session. Judge Linares can speak for himself, but from Amarin's perspective, we engaged in the process in good faith (including through the submission of an extensive mediation statement) but were simply unable to reach resolution in these matters at that time. Further, DRL's characterizations of Amarin's positions during the mediation—which are inaccurate—are inconsistent with the mediation privilege established by Judge Linares, which Amarin intends to respect.

With respect to the schedule for this litigation, DRL's letter is at odds with the case management procedures followed in this District. The parties' competing views on the schedule are currently pending before Magistrate Judge Bongiovanni. The Order establishing a Scheduling Conference in this case directed the parties to propose a schedule for fact and expert discovery. *See* Order Scheduling Conference, ECF No. 97. The parties submitted extensive information in response to this Order to Magistrate Judge Bongiovanni. *See, e.g.,* Letter from Amarin to the Hon. Tonianne J. Bongiovanni, ECF No. 110 (providing Amarin's proposal for fact and expert discovery schedule); Letter from Amarin to the Hon. Tonianne J. Bongiovanni, ECF No. 118 (update on the status of discovery and addressing an appropriate discovery timetable). DRL's letter provides no basis to bypass the process the parties have undertaken before Magistrate Judge Bongiovanni. Moreover, we submit it would be helpful for Magistrate

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Judge Bongiovanni to have an understanding of the current (and delayed) pace of plaintiffs' document productions in this case before she sets a date for the completion of fact discovery, especially since no depositions have yet occurred in the case. Accordingly, Amarin stands ready to engage with Judge Bongiovanni and the four plaintiff groups on all discovery issues, as opposed to burdening Your Honor with issues that are typically the province of our magistrate judges.

Thank you for Your Honor's kind attention to this matter.

Respectfully yours,



William C. Baton

cc: All counsel (via email)